IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : Crim. No. 1:08-cr-073

:

v.

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JONATHAN LEE CABALLERO : Judge Sylvia H. Rambo

ORDER

In accordance with the accompanying memorandum of law, IT IS HEREBY

ORDERED as follows:

- 1) The motion filed pursuant to Fed. R. Civ. P. 60(b)(6) is **DENIED**.
- 2) The court declines to issue a certificate of appealability for the reasons set forth in the accompanying memorandum of law and further because any appeal would be frivolous.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: January 31, 2019